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December 7, 2004

12-03-04A09:33 RCVD

Rosemary Center, Esq.
General Counsel
Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, Kentucky 40601

Dear Ms. Center:

I am hereby requesting an opinion from your office regarding the application of the Kentucky campaign finance laws to an election to fill a position of trustee on the Board of Trustees of the Kentucky Retirement System.

In early 2005, the active and retired members of the County Employees Retirement System (CERS) will elect two members of the Kentucky Retirement System Board of Trustees. My name will appear on the ballot to be sent to the CERS members. I am currently employed as General Counsel for the Kentucky League of Cities (KLC). KLC is a nonstock nonprofit corporation. My questions are the following:

1. Am I subject to the campaign finance reporting requirements that apply to candidates for public office?
2. Is the Kentucky League of Cities prohibited by Section 150 of the Kentucky Constitution, KRS 121.025 and KRS 121.035 from utilizing its resources (website postings, electronic and regular mailings, broadcast facsimiles, etc.) to promote my candidacy for the Kentucky Retirement System Board of Trustees?

Since the Kentucky Retirement System Board of Trustee elections ballots are due to be mailed on January 5, 2005, an expedited response to this request would be greatly appreciated. If any additional information is necessary to enable you to respond to this request, please contact me at 1-800-876-4552. Thank you for your assistance.

Sincerely,

William A. Thielen
General Counsel

